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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,418	07/30/2001	Curtis Reese	10011053-1	4573

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06/02/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

CHEN, ALAN S

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,418

Applicant(s)

REESE ET AL.

Examiner

Alan S. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

FRITZ FLEMING
FRITZ FLEMING
PRIMARY EXAMINER
GROUP 2100

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04/27/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments see remarks submitted on 04/27/2005, with respect to the rejection(s) of claim(s) 1-20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made with US Pat. No. 6,711,688 to Hubacher et al. (hereafter Hubacher) in view of Dutcher.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 USC 103(a) as being unpatentable over Hubacher in view of Dutcher.

4. As per claims 1, 12 and 17, Hubacher discloses a computer, method and computer readable medium comprising: at least one network component (Column 1, lines 45-50, Hubacher discloses the ability to use Windows NT, which, in accord to the current prosecution history, inherently has network components, e.g., protocols/clients such as TCP/IP protocol and Netware or Microsoft clients, etc; the modem in Fig. 3, element 322 can also be a "network component") each network component enabling the computer to communicate with one or more different network (Netware client for instance allows on to communicate with other Netware computers in a Netware network, Microsoft Client enables one to communicate with Microsoft computers in a

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Microsoft network; the modem in Fig. 3, element 322, allows one to communicate with a network over a PSTN); and an operating system (the user has the ability to select OS, one of them being Windows NT, Column 9, lines 40-55) having an initial boot sequence (the initial boot sequence is the BIOS operations which is shown in Fig. 7, element 720, which is simply a bootstrap program where the client machine gains connection to the server for the ability to download the full operating system) in which a network device driver for each network component is loaded and network connectivity is established only after a user has logged in (Hubacher refers to logging in at step 740 and 742, where the client has a simple connection to the server, and where the full operating system that holds all the drivers for the network protocols/clients, modem drivers, etc., has *not* been loaded yet). Note that under the broadest reasonable interpretation of the claims, log-in to the actually full operating system has been downloaded from the server, e.g., Windows NT is different than the initial logging in to the client system, e.g., Fig. 7, steps 740 and 742. In essence, there are two logins here, one for downloading the OS and another for login into the downloaded OS. The former “login” is referencing the elements 740-750 in Fig. 7). Specifically for claims 12 and 17, pre-log-in refers to before login at Fig. 7 element 742; post-log-in refers to after login at Fig. 7 element 742.

Hubacher does not expressly disclose the intricacies of the Windows NT operating system, e.g., its ability to select from among different networks during a log-in procedure.

Dutcher discloses the ability of the user to select one a variety of different networks during a log-in procedure (Fig. 15).

Hubacher combined with Dutcher are analogous art because they are from the same field of endeavor in network connections using Windows NT.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to realize that Windows NT has the ability to select a network during login.

The suggestion/motivation for doing so would have been the selection of a network being built into the Windows NT operating system, where on of ordinary skill in using Windows NT would have noticed at login, the ability to select the Domain.

Therefore, it would have been obvious to combine Hubacher with Dutcher for the benefit of utilizing the built-in ability of Windows NT to select the domain, Windows NT intrinsically being a network oriented operating system.

5. As per claims 2-4, 14-16 and 18-20 Hubacher combined with Dutcher discloses claims 1, 12 and 17, wherein Dutcher further discloses the user specifying the desired one of the one or more different networks during log-in by specifying a unique user-name and domain (Fig. 15). Hardware/Network profiles are loaded respectively with the unique user name and network profile.

6. As per claim 5, Hubacher combined with Dutcher discloses claim 1, wherein Hubacher further discloses the initial boot sequence comprises hardware detection (Fig. 7, power on self test detects and tests rudimentary required hardware), without loading network device drivers (full OS, e.g., Windows NT is not loaded initially during initial boot, e.g., Fig. 5b, element 518).

7. As per claims 6 and 7, Hubacher combined with Dutcher discloses claim 1, wherein Hubacher further discloses the initial boot sequence being executed by BIOS (Fig. 5a, element 500), in conjunction with the OS (the OS in this context is the operating system that enables communication to the server such that downloading of the full OS, e.g., Windows NT is

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allowed). The bootstrap is minimal, e.g., it does not require hardware profile selection, network drivers, etc (Fig. 4, steps 402-432 occur before full OS is loaded).

8. As per claims 8-11, Hubacher combined with Dutcher discloses claim 1, wherein Hubacher further discloses the network component can be a modem or network adapter (Fig. 3, elements 310 and 322) to connect to a known type of network (Fig. 1a, element 102).

9. As per claim 13, Hubacher combined with Dutcher discloses claim 12, wherein Hubacher further discloses the pre-log-in boot sequence comprises: a POST (Fig. 4, element 402; Column 6, lines 20-25); an initial start-up process (Fig. 4, element 402-406); a boot loader process without selecting the hardware profile (Fig. 4, element 408; Fig. 3 shows the workstation, where none of the device drivers for the hardware components are loaded in Fig. 4, e.g., it is currently a thin client); operating system selection (Column 9, lines 40-50); hardware detection (detects at least the server from which to download the OS, Fig. 4, elements 430); configuration selection (minimal configuration to download OS from server, Fig. 4, element 430); kernel loading without loading the network device drivers (certain system files are loaded for basic operation, Fig. 420 and 430, .DOS and .SYS files, this is prior to the full OS load, e.g., Fig. 4, step 434).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to loading of network device drivers after login:

U.S. Pat. Pub. No. 20030014476A1 to Peterson

U.S. Pat. No. 5978912A to Rakavy et al.

U.S. Pat. No. 6535976B1 to Hoggarth et al.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chen whose telephone number is 571-272-4143. The examiner can normally be reached on M-F 8:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASC
05/24/2005



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